

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Gawayne McKnight,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:11cv116
vs.	:	
	:	Chief Judge Susan J. Dlott
Commissioner of Social Security,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on January 10, 2012 (Doc. 16), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired January 27, 2012, hereby ADOPTS said Report and Recommendation.

Accordingly, the decision of the Commissioner to deny Plaintiff DIB and SSI benefits is **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. §405(g).

On remand, the ALJ will reevaluate: a) the weight to be given to the opinions of treating physicians, Drs. Diatte and Koblenzer as well as the opinions of examining consultants Drs. Kejriwal, Malpede and Eggerman; b) whether the record demonstrates any additional limitations, including restrictions on persistence and pace and or limitations based upon Plaintiff's complaints on disabling pain. In conducting further review on remand, the ALJ will also reevaluate whether plaintiff suffers from a disability based upon the gross total of his limitations, prior to determining which limitation will remain when the effects of any limitations resulting from substance abuse are excluded.

Since nothing further remains pending before the Court, this case is **CLOSED**.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court